

Public Notices:

Released to Relevant Local Papers in Montana about the Three Alternative Routes

TransCanada – KXL Phase II Pipeline Contact Summary Form

Communication Location ENSR – Fort Collins

Date/Time of Contact 12/11/08 10:00 a.m.

KXL Team Member(s) Patti Lorenz

Contact Information:

Name	Kent Undlin
Title	BLM
Organization	BLM – Miles City Field Office
Address	
County	
Phone	406-233-2845
Email address	Kent_Undlin@blm.gov

Contact Information:

Type of Contact (phone, in-person, etc.): phone

Issue: MFSA – Hunting/Fishing Pressures

Description:

I contacted Kent regarding an assessment of increased hunting and fishing pressures as a result of the KXL Pipeline Project.

Kent replied that the new construction or improvement of existing tracks/roads associated with the pipeline would result in increased use and pressures regarding hunting and fishing. Currently, public lands are experiencing an increase in hunting. The construction of the pipeline, itself, would not affect current hunting and fishing status. Hunting and fishing pressures on private lands would be site specific and depend on if the landowners allowed these activities on their property. An access road on private lands that allowed hunting would increase hunting/fishing pressures in that area. If access roads were created, and allowed new access to rivers, fishing pressure would then increase as well.

Issue: _____

TransCanada – Keystone XL Phase II Pipeline Contact Summary Form

Communication Location Fort Collins, Colorado

Date/Time of Contact 1/27/09 1:30 p.m.

**Keystone XL Team
Member(s)** Chris Dunne

Contact Information:

Name	John Collins
Title	BLM
Organization	BLM
Address	5 Lasar Dr., Glasgow, MT 59230
County	Valley
Phone	406-228-3769
Email address	

Contact Information:

Type of Contact (phone, in-person, etc.): Phone

Issue: Alternate routes A & A-1-A crossing the Bitter Creek ACEC

Description:

I spoke with John Collins and he said that the Bitter Creek ACEC is actually in the process of being declared a WSA. However, either designation falls into a “no surface disturbance and no impairment” criteria. Viable options for crossing would include HDD (est. 3.4 miles) or piggy-backing on the existing utility ROW used by Northern Border, which was grandfathered in to the Bitter Creek ACEC. John speculated that the later would likely receive a lot of fire from local conservation groups.

Follow-up Required / Requested

TransCanada – KXL Phase II Pipeline Contact Summary Form

Communication Location Glasgow, MT – BLM Glasgow F.O.

Date/Time of Contact 1/29-30/09.

KXL Team Member(s) B. Strom

Contact Information:

Name	Jon Collins
Title	Outdoor Recreation Planner/Visual Resources Specialist
Organization	BLM Malta F.O.
Address	Glasgow, MT
County	
Phone	406-228-3769
Email address	Jon_collins@blm.gov

Contact Information:

Type of Contact (phone, in-person, etc.): _email_ **Phone** 406-228-3769 _____

Issue: __Malta F.O. VRM Inventory Overlays_____ **Concern Level:** High__Moderate X Low__.

Description:

“Since our Glasgow office location has changed locations three times in the past five years the VRM inventory files have either been lost or misplaced. I hope this doesn't cause a problem for your application with the state of Montana.”
(Quoted from JC's email.)

TransCanada – KXL Phase II Pipeline Contact Summary Form

Communication Location Ft Collins to Miles City

Date/Time of Contact Sent 1/29/09; response received 2/02/09

KXL Team Member(s) Strom

Contact Information:

Name	Dena Lang
Title	Outdoor Recreation Planner
Organization	BLM Miles City F.O.
Address	111 Garryowen Road Miles City, MT 59301-0940
County	
Phone	406.233.2828
Email address	Dena_Sprandel-Lang@blm.gov

Contact Information:

Type of Contact (phone, in-person, etc.): email **Phone** 406.233.2828

Issue: BLM VRM inventory data for MCFO area **Concern Level:** High___Moderate_X_Low__

Description:

- Sent DL an email requesting verification of my interpretation of our conversation: that back-up for VRM classifications is not available (*i.e.* visual quality, sensitivity, distance zone overlays).
- Her response was that she has never seen the back-up material, and is only aware of VRM class overlays. (This is what we presented in the MFSA appl.)

To: Wentland, Harold; FWP CF5710 (VACANT); Ruggles, Mike; Rauscher, Ryan; Johnson, Kelvin

Cc: Smith, T.O. (FWP); Davis, Windy

Subject: FW: KXL - Request for information regarding geotechnical work

All - Please respond directly to T.O. Smith or Windy Davis, with a cc: to the rest of us, if you have any information to pass along to KXL on these bore sites. Thanks. Pat

-----Original Message-----

From: Lorenz, Patricia [mailto:plorenz@ensr.aecom.com]

Sent: Thursday, September 11, 2008 11:34 AM

To: Lou_Hanebury@fws.gov; Smith, T.O. (FWP); Gunderson, Pat; Davis, Windy

Subject: KXL - Request for information regarding geotechnical work

Lou, T.O., Pat, and Windy:

KXL would like to begin geotechnical investigations at proposed HDD locations along the route. They would like to conduct the work between October 13 and November 13, 2008. Below is a description of the work that will be conducted:

"Geotechnical investigations - In specific areas, such as large river or road crossings, geotechnical teams would identify subsurface soil and bedrock characteristics. At these geotechnical bore sites, a truck-mounted drilling rig would drill a three- to six-inch-diameter hole and obtain soil and bedrock samples. Typically, two to four small trucks with trailers support this work. If required, TransCanada would request landowner permission to move heavy equipment to and from the survey site. After completion, the boreholes are completely back-filled, and the work site restored."

I would like to request any information on potential T&E / wildlife conflicts and any corresponding mitigation or permits required. Attached are maps of the locations for these investigations. Please give me a call with any questions or concerns. Thank you for your attention to this request.

Sincerely,

Patti Lorenz

Biologist

ENSR | AECOM

1601 Prospect Parkway

Fort Collins, CO 80525

T: (970) 493-8878 x3410

F: (970) 493-0213

plorenz@ensr.aecom.com

TransCanada – KXL Phase II Pipeline Contact Summary Form

Communication Location Fort Collins, Colorado

Date/Time of Contact 1/30/09 1 :00 P.M.

KXL Team Member(s) Brett Freeborough

Contact Information:

Name	John Little
Title	Region 7 Parks Manager
Organization	Montana Fish Wildlife and Parks
Address	Miles City
County	
Phone	406-234-0900
Email address	jlittle@mt.gov

Contact Information:

Type of Contact (phone, in-person, etc.): _____ Phone ☒ X _____

Issue: Noxious weed mitigation plans _____ Concern Level:

High ☐ Moderate ☐ Low ☐.

Description:

I spoke with Mr. Little about what recreation information I needed for the Keystone XL Pipeline project. I sent him a map of the project area and all three routes. Mr. Little responded with an email of all recreation activities that occur within the project areas. I then asked Mr. Little if he could pinpoint areas of heavy recreational activities.

Issue: _____ Email _____

Concern Level: High ☐ Moderate

Low ☐.

Description:

Page 1 of 2

Freeborough, Brett

From: Little, John [jlittle@mt.gov]
Sent: Friday, January 30, 2009 4:44 PM
To: Freeborough, Brett
Cc: Davis, Windy; Schmitz, Brad
Subject: RE: Keystone XL Pipeline Project

Brett:

This is an onerous request. There are numerous locations that are recreational 'hotspots' for specific activities. And, there are other locations where numerous recreational activities are pursued. Any accessible public lands (BLM, BOR, State School Trust lands) are heavily used during the fall hunting seasons. The same would be true of any stretches of flat or moving water that are publicly accessible, harbor desirable fish species or offer huntable numbers of waterfowl or islands that have sufficient vegetative cover to provide security for upland birds and or deer. Other heavily used recreation lands include private lands that are enrolled in Montana Fish, Wildlife & Parks Block Management program.

I apologize for hedging on your request. Simply put, your request is too large for me to economically fulfill.

Oh, and I apologize for not listing out organized recreational activities such as athletic events. I suggest you contact the cities, towns and counties of SE Montana for assistance in identifying those activities and locations.

John Little

-----Original Message-----

From: Freeborough, Brett [mailto:Brett.Freeborough@aecom.com]
Sent: Friday, January 30, 2009 3:08 PM
To: Little, John
Subject: Keystone XL Pipeline Project

Mr. Little,

Thank you for sending me all of the activities that may be affected by the proposed pipeline routes. It will be a great use. I do have one more question I would like to ask you though. Are there any particular areas that are heavily used for recreation within your region? For example, Muddy Creek happens to be a popular place for people to fish or such and such a park has a soccer and baseball fields where games are routinely played.

Also just for your information all impacts are anticipated to only occur for a few months. The pipeline will need to be buried under atleast 4 feet of cover.

If you need anything else please feel free to contact me.

Thank you for your time!

Sincerely,

Brett Freeborough, Environmental Scientist
AECOM Environment
970.530.3403
brett.freeborough@aecom.com

AECOM
1601 Prospect Parkway
Fort Collins, CO 80525-9769

2/2/2009

TransCanada – Keystone XL Phase II Pipeline Meeting Summary E-Mail Posting Form

Meeting Location: Cottonwood Inn, Glasgow, MT

Date & Time: February 3, 2009 / 8:30 – 11:30 a.m.

Keystone Team Members: Patti Lorenz, Paul Swartzinski

Agency Contact Information:

Name	Organization	Title	Phone / E-mail address
Harold Wentland	MFWP	R6 Wildlife Manager	406-228-3710 / hwentland@mt.gov
Arnold Dood	MFWP	Endangered Species Biologist	406-228-3710 / adood@mt.gov
Ryan Rauscher	MFWP	Native Spp. Biologist	406-228-3700 / rrauscher@mt.gov
Steve Dalbey	MFWP	Fisheries Manager	406-228-3706 / sdalbey@mt.gov
Woody Baxter	MFWP	Regional Parks Manager	406-228-3707 / gwbaxter@mt.gov
Pat Gunderson	MFWP	Wildlife Biologist	406-228-3704 / pgunderson@mt.gov
Windy Davis	MFWP	Energy Specialist	406-228-0942 / mikeruggles@mt.gov
John Carlson	BLM	BLM Wildlife Biologist	406-228-3762 / john_carlson@blm.gov

Meeting Purpose:

ENSR met with the MFWP and BLM to discuss survey requirements, surveys protocols, mitigation measures, and best management practices for wildlife and special status species that have been identified for the Project. The goals of this meeting were to obtain MFWP concurrence on the proposed survey protocols, survey locations, and other mitigation measures.

Meeting Notes

Project Updates provided by AECOM:

- Construction scheduled for 2011;
- Lead federal agency is the Department of State;
- The MFSA has been submitted with the DEQ;
- The EIS and BA are scheduled for 2009;
- Biological field surveys were conducted along the entire route where landowner access was granted in 2008.

Project Updates provided by MFWP:

- The Cornwell Conservation Easement has been denied by the Governor. This might be a good off-site mitigation opportunity for TransCanada.

Project Updates provided by BLM:

- The landownership on the Milk River has been changing hands;
- Lands along the Missouri River Crossing are in the early stages of becoming a State Park.

AECOM Discussed BMP's/Mitigation Measures/Survey Protocols on a species by species approach. Below are the notes of those discussions by species:

Federal Species

Black-footed Ferret:

AECOM: Presented locations of the two prairie dog towns identified during 2008 field surveys.

MFWP/BLM: Recommend conducting a full delineation of the towns. Both towns are located on BLM lands. Both BLM and MFWP have data on the town located in Valley County but no one has ever surveyed McCone County for prairie dog towns. If the towns meet the USFWS BFF requirements, additional BFF surveys will be recommended. MFWP would like the lat/long locations for both towns. BLM will get AECOM more information on the town in Valley County.

Whooping Crane:

AECOM: At this time, Keystone will not be permitting the electrical powerlines. Electrical powerline providers would be responsible for obtaining the necessary approvals or authorizations from federal, state, and local governments.

MFWP: The Yellowstone River has been used as a stop-over site during migration in the past.

BLM: The Project is on the extreme Western edge of the migration route.

Piping Plover:

AECOM: Surveys for presence of nesting plovers will be conducted within alkali wetlands in Valley County (MP 50.0 and 57.0) in 2009 and prior to construction in 2011 if construction will occur there during the nesting period.

MFWP: Concerned about the buffer size of a 0.25 mile if a nest is found but will accept it because it is a BLM standard.

Least Tern:

AECOM: Surveys for terns on the Yellowstone River will be conducted in 2009 and prior to construction in 2011 if construction will occur there during the nesting period.

MFWP: Concerned about the buffer size of a 0.25 mile if a nest is found but will accept it because it is a BLM standard. MFWP would like the lat/long location of the Yellowstone River crossing. Surveys for terns at the Yellowstone are conducted on an annual basis by MFWP and they would invite biologists for the Project to attend those surveys with MFWP. The optimal time of survey would be the last part of June or early July but it might vary due to water levels.

Pallid Sturgeon:

AECOM: HDD methods will be used to cross the Milk, Missouri, and Yellowstone Rivers reducing impacts to this species.

MFWP/BLM: Agreed

Grey Wolf:

MFWP: May want to address potential to occur within the Project area but not further surveys or mitigation would be required.

AECOM: The USFWS has not addressed this species as potentially occurring within the Project area.

BLM Sensitive/ Montana Species of Concern

Swift Fox:

AECOM: 32 potential den sites were identified during the 2008 field surveys. The activity status of the den sites was not determined at that time.

MFWP: What does "potential den site" mean?

AECOM: Essentially a hole used by a mammal.

MFWP: Recommended conducting more intensive surveys for swift fox dens in Phillips and Valley Counties only. It would be odd for swift fox records south of the Missouri River.

AECOM: The USFWS recommended the same locations.

Townsend's Big-eared Bat:

AECOM: No further surveys or mitigation measures are proposed because the Project does not cross suitable maternity roost or hibernacula habitat (e.g., caves or mines).

BLM: Townsend's have been observed using badlands areas for maternity roosts near the project south of the Missouri River in

McCone County. Recommend conducting acoustic surveys for the presence of bat species within that habitat.

Spotted Bat:

AECOM: AECOM: No further surveys or mitigation measures are proposed because the Project does not cross suitable maternity roost or hibernacula habitat (e.g., caves or mines).

MFWP: This species has been documented along the Milk River.

BLM: Acoustical surveys are recommended to identify all bat species identified as occurring within the Project area.

Long-legged Myotis:

AECOM: This species uses forested areas for maternity roosts. The 2008 field surveys provided locations of all forested areas along the route and the information was presented to MFWP and BLM.

BLM: Acoustical surveys are recommended to identify all bat species identified as occurring within the Project area.

Black-tailed Prairie Dog:

AECOM: No further surveys or mitigation measures are proposed specifically for this species.

MFWP: Are you treating them as listed species due to their current proposal for federal listing?

AECOM: We would like recommendations from MFWP on how to cross the towns. Right now there is no mitigation proposed but due to the linear nature of the disturbance and the mobility of the species, impacts would likely be low. Additionally, there have been observations of prairie dogs being attracted to the ROW after the pipe has been covered.

MFWP: Requested coordinates of the locations of the town.

Meadow Jumping Mouse and Preble's Shrew:

AECOM: No further surveys or mitigation measures are proposed.

MFWP/BLM: Agreed.

Bald Eagle:

AECOM: Aerial surveys were conducted in April 2008. No nesting eagles were identified along the route in Montana. One roost site was identified at Frenchmen Reservoir, approximately 1 mile southwest of the Project. Additional winter roost surveys are planned for Feb. 2009 and additional nest surveys are planned for April 2009. Additional surveys for winter roosts and nests will be conducted prior to construction.

BLM: There is a communal roost site located upstream from the Project crossing on School Trust Lands near the fishing access.

There have also been nesting attempts in this location.

MFWP: Nesting attempts have not been successful.

Peregrine Falcon:

AECOM: The falcon is a non-nesting migrant through the project area but would be included in additional raptor surveys. No peregrine falcon nests were identified during the April surveys.

MFWP/BLM: Agreed.

Greater Sage Grouse:

AECOM: We have gathered data on historic known leks and suitable sagebrush habitat. We would propose to do aerial lek surveys within that habitat.

BLM: Sage grouse have been observed using habitat at great distances from sagebrush. The BLM has a good handle on the locations of lek sites along the Project route

MFWP: MFWP does as well and can block out portions of Valley County. Also, MFWP recommends doing pedestrian surveys but also agrees that helicopter surveys will be acceptable. MFWP has also conducted lek surveys using a fixed-wing aircraft.

BLM/MFWP: They have little survey information on McCone County and would like additional surveys in that area.

MFWP: Would like to recommend compensation to do the surveys themselves. They would be willing to be accompanied by a AECOM representative.

AECOM: According to Adam Messer with MFWP, we do not cross any wintering habitat and the grouse in this part of the country are considered non-migratory.

MFWP: Disagreed. They will provide AECOM with more specific wintering locations. They also recommend looking for these areas during the bald eagle winter roost surveys along the southern portion of the route in Fallon County. Kent Undlin with the BLM has a database of sagebrush that can be provided.

Sharp-tailed Grouse:

AECOM: Surveys for the sharp-tailed grouse will be considered incidental when conducting the greater sage grouse surveys. Asked MFWP/BLM if aerial surveys could identify sharp-tail leks.

MFWP: Yes, known data of lek sites using aerial surveys.

Migratory Bird Species of Concern:

AECOM: A Conservation Agreement for the MBTA between the USFWS Migratory Bird Office and Keystone is currently being developed and the Keystone XL Pipeline will follow suite. The Sprague's pipit, however, is up for federal listing. AECOM is planning native prairie surveys to identify suitable habitat for 2009.

BLM: The peak nesting period for migratory birds is late May and June and construction should be avoided during those times. The BLM is concerned about permanent structures removing nesting habitat.

Mountain Plover:

AECOM: The USFWS recommended surveys for the mountain plover in prairie dog towns and bentonite fields in Valley County.

MFWP: MFWP has concerns for this species in short-grass prairie and Ag fields as well. MFWP will provide survey quadrants to AECOM.

Burrowing Owl:

AECOM: Surveys will be conducted in prairie dog towns crossed by the route.

MFWP: Mountain plover also utilize ground squirrel burrows and small mammal burrows and recommends surveying in these locations as well.

Swainson's Hawk and Ferruginous Hawk:

AECOM: The aerial raptor nest surveys and the biological field surveys did not identify any active swainson hawk or ferruginous hawk nests along the route in Montana. Additional, raptor nest surveys are scheduled for 2009 and prior to construction. Would preclearing measures be accepted by MFWP and BLM?

MFWP: Yes as long as any ferruginous hawk nests could be relocated prior to disturbance.

Sturgeon Chub, Sicklefin Chub, Sauger, Paddlefish, Shortnose Gar, Blue Sucker, Northern Redbelly Dace x Finescale Dace:

AECOM: No impacts to these species because HDD methods will be used to cross the Missouri, Milk, and Yellowstone Rivers. Frenchmen Creek is not planned for HDD activities and may impact the Northern redbelly dace x finescale dace. Also, Boxelder Creek is not planned for HDD activities and may impact the sauger.

MFWP: Does not feel like surveys would be a good way to determine the presence of fish species. Instead, they would like to assume presence and provide construction exclusion periods during the spawning periods. This goes for other stream crossing not using HDD methods such as the Redwater River and other sensitive prairie streams.

MFWP: MFWP would like to also add Burbot to the list of sensitive fish occurring within the project area but no further surveys or mitigation would be required.

Reptiles/Amphibians:

MFWP: There are species of concern missing from analysis.

AECOM: AECOM will add more detail on reptiles and amphibians. Those currently occurring within the project area include the western hog-nosed snake, common sagebrush lizard, great plains toad, greater short-horned lizard, milk snake, northern leopard frog, plains spadefoot, snapping turtle, and spiny softshell.

MFWP: Would like to recommend setting up mitigation measures for protecting snake hibernacula and preventing snakes from entering an open trench and not being able to escape. They would like to propose using a specialist that would be able to handle hibernating snakes that might be overturned during construction activities.

Big Game:

AECOM: Big game sensitive range exclusions will be adhered to on BLM lands only.

MFWP: Why not private land as well?

AECOM: MFWP does not have state statues or laws for requiring these mitigation measures on private lands.

Action Items:***Issue Description/Responsible Parties/Concern Level***

MFWP asked if TransCanada would consider forms of off-site mitigation to compensate for impacts to wildlife, including sensitive species.

Answer- Yes, recommendations in the form of off-site mitigation will be given to TransCanada for further consideration.

Concern Level :

High Moderate Low

Issue Description/Responsible Parties/Concern Level

BLM and MFWP would like all survey reports sent to the Montana Natural Heritage Program

Concern Level :

High Moderate Low

Issue Description/Responsible Parties/Concern Level

Can MFWP make recommendations for the design of access roads?

Answer: Not sure will follow up.

Concern Level :

High Moderate Low

Follow-up Required / Requested**MFWP Needs:**

- Lat/Long Coordinates for Yellowstone River Crossing;
- Lat/Long Coordinates for Prairie Dog Towns;
- Links to MFSA;
- Lat/Long Coordinates for stream crossings;
- Information on Access Road structure

AECOM needs:

- Sagebrush locations based on the database Kent Undlin has put together (mentioned by Windy Davis).
- Locations of sage grouse survey locations. Wendy mentioned that she would be able to block out areas of Valley County.
- Survey quadrants for mountain plover

Additional Comments

- AECOM will finalize a document with the results of this meeting to be sent out for final concurrence to TransCanada and MFWP.
- An additional meeting with the BLM is scheduled for February 5, 2009.

TransCanada – KXL Phase II Pipeline Contact Summary Form

Communication Location Fort Collins, Colorado

Date/Time of Contact 1/28/09 2/02/09 2/04/09 9:00 A.M.

KXL Team Member(s) Brett Freeborough

Contact Information:

Name	Woody Baxter
Title	Region 6 Parks Manager
Organization	Montana Fish Wildlife and Parks
Address	Glasgow, MT
County	
Phone	406-228-3700
Email address	

Contact Information:

Type of Contact (phone, in-person, etc.): _____ Phone ☒ _____

Issue: Noxious weed mitigation plans _____ **Concern Level:**

High ☐ Moderate ☐ Low ☐.

Description:

I spoke with Mr. Baxter of the MFWP's about recreation activities affected by Route B throughout his region. Mr. Baxter told me the MFWP is looking into buying a 400 acre piece of property at the confluence of the Milk and Missouri River and turning it into a state park. Mr. Baxter told me he would look over maps and email me his thoughts on what activities would be affected by the construction of the pipeline.

Issue: _____ Phone _____

Concern Level: High ☐ Moderate

Low ☐.

Description:

I called Mr. Baxter to see if he had any updates for me. He informed me that he had not received any of the information for yet but would do so by 2/4/09. I also asked him about School Trust FAS below Fort Peck Dam. He said that he had no idea of any possible effects it would have in that area.

Description: Email Attachment

This was an attachment sent to me by Mr. Baxter on 2/04/09 about possible activities occurring in the region of the proposed Project.

Recreational Activities and Potentially Affected FWP Recreation Sites from the Keystone XL Pipeline in Northeastern Montana

The following are some existing outdoor recreational activities found in rural settings within Montana Fish, Wildlife & Parks' (FWP) Region 6:

- Fishing (On farm ponds, reservoirs, lakes, rivers, creeks and irrigation ditches on private and public lands)
- Hunting (Big game, upland game birds, waterfowl and other migratory birds on private and public lands.)
- Trapping (Fur bearer animals on private and public lands)
- Varmint hunting (On private and public lands)
- Motor boat recreation (On lakes, reservoirs, rivers on private and public lands)
- Non-motorized boat recreation (On lakes, reservoirs, rivers and farm ponds on private and public lands)
- Camping (With RV's, camping trailers and tents on private and public lands)
- Hiking (Mostly off-trail on public lands)
- ATV and Trail Bikes (On dirt vehicular trails and some off-road on private and public lands)
- Snowmobiling (Both on-road and off-road, power line and railway right-of-ways, and on private and public lands)
- Picnicking and day-use activities (Mostly at public recreation sites)
- Geocaching (Mostly on public lands, where authorized)
- Bird watching and wildlife viewing (On private and public lands)
- Metal detecting (On private and public lands)
- Windsurfing (Mostly on public reservoirs and lakes)
- Snorkeling and scuba diving (Mostly reservoirs, lakes, rivers on public lands)
- Paintball games (On private and public lands)

The following are FWP recreation sites ("State Park" or "Fishing Access Sites") within Region 6 that the three "Alternative Keystone Pipelines Routes" go through or near:

(PLEASE NOTE: Due to the small scaled map used as a resource, the following approximate distances/ mileages may vary up to 5 miles.)

Alternative A1A Keystone XL Pipeline Route:

- Glasgow Base Pond Fishing Access Site, approx. 10 miles south of Route on west side of Hwy 24. T31N. R40E, Sec. 18

Alternative A Keystone XL Pipeline Route:

- Glasgow Base Pond Fishing Access Site, approx. 8 miles south of Route on west side of Hwy 24. T31N. R40E, Sec. 18
- Snowden Bridge Fishing Access Site, approx. 6 miles south of Route on south bank of the Missouri River. T26N, R59E, Sec. 16

(Continued on next page)

Alternative B Keystone XL Pipeline Route:

- Glasgow Base Pond Fishing Access Site, approx. 8 miles north of Route on west side of Hwy 24. T31N. R40E, Sec. 18
- School Trust Fishing Access Site, approx. 1.5 miles west of Route on the north bank of the Missouri River. T27N, R41E, Sec. 36
- Proposed State Park Site at the Confluence of the Milk and Missouri Rivers, Route goes directly through several acres of this land which is located on the west bank of the Milk River, and the north bank of the Missouri River. Robert & Lanette Harmash of Nashua, MT, currently owns land. T27N, R42E, Sec. 29

Compiled by: Woody Baxter (FWP-Glasgow) 2/4/09

TransCanada – KXL Phase II Pipeline Contact Summary Form

Communication Location ENSR

Date/Time of Contact July 1, 2008 / 8:23 a.m.

KXL Team Member(s) Patti Lorenz (ENSR)

Contact Information:

Name	Martin Miller
Title	Data assistant
Organization	Montana Natural Heritage Program
Address	1515 E 6 th Ave. PO Box 201800 Helena, MT 59620-1800
County	
Phone	(406) 444-3290
Email address	Miller, Martin [martinm@mt.gov]

Contact Information:

Type of Contact (phone, in-person, etc.): email

Issue: Heritage data request

Description:

Hi, Patti,

I've placed a zip file, named "XL_soc.zip", on our ftp site at: <ftp://nris.mt.gov/> . It contains shapefiles for Species of Concern (SOC), ecological sites (sites), a cover letter, explanatory material, metadata (metadata for sites is not available) and an Excel spreadsheet (gen_desc.xls) that contains habitat descriptions for data in the SOC shapefile. The data can be linked on EO_ID.

Please let me know when you have downloaded the data so I can remove it from the ftp site and let me know if you have any questions.

Thanks,

Martin Miller
(406) 444-3290
Data Assistant
Montana Natural Heritage Program

From: Lorenz, Patricia [mailto:plorenz@ensr.aecom.com]

Surveys required for the Missouri and Yellowstone Rivers only. The Milk River can be eliminated for this species. Windy Davis, Bob B., and Montana State University are good sources for fish databases for the MFWP. Should these rivers be crossed using HDD methods, impacts to these species will be eliminated and surveys will not be required for these fish species.

Yellowstone River:

Need to reduce and minimize impacts to the Yellowstone River. Yellowstone River Conservation needs to be considered an impact issue. HDD would be the preferred crossing method.

Spiny Softshell:

Survey requirements TBD and additional consultation may be required. The MFWP/Natural Heritage Program is currently conducting surveys for this species. Bruce Maxell with the Natural Heritage Program is the contact for this species.

MBTA:

Avoid and minimize impacts during the nesting season. The Keystone Protocol is recommended.

Discussion/Action Items

- Get all contact information for specialists listed above from the MFWP and USFWS.
- Sign a confidentiality agreement with Lydia Bailey and the Natural Heritage Program in order to obtain shapefiles and data on T&E and Landownership. T.O. Smith will provide us with that contact information.
- MFWP can provide prairie dog town locations to ENSR.
- MFWP can provide known peregrine falcon nest locations.
- ENSR will send T.O. Smith an electronic version of the Special Status Screening Table to distribute to species specialists at MFWP.
- MFWP asked ENSR to set a deadline for the MFWP specialists to get species specific information back to ENSR. ENSR mentioned that it would be helpful to get that information prior to pedestrian ground surveys beginning at the end of May.
- Schedule a meeting with MFWP species specials to go over survey locations.

Contact Summary Form:

**Contact with Montana County Commissioners and Land Planning Agencies
Circular MFSA Section 3.4(7) and 3.7(2)**

Initial contact date	Name of contact	Affiliation	Phone number	City	Date of contact	Comments	Status	KXL contact person
11/24/2008	J Perry Wolfe	Chamber of Commerce & Agriculture	406.487.2061	Scoby	11/25/2008	Mr. Wolfe wrote a letter of support for the project to route through Daniels County. He also called and spoke with S/R regarding the Option A1A route. The Chamber endorses this route due to its proximity to Scobey and for the fact that it would fall within a sovereign nation. They feel that this option would optimize the Bakken Formation resources. The Chamber has been in touch with the chambers of Plentywood, in Sheridan County and they are both working with the respective County Commissioners who are the local taxing authorities regarding tax reductions for new industry. A copy of that form and information was attached to Mr. Wolfe's letter.	Complete	Mary Andersen
11/24/2008	Burley Bowler	Daniels County Leader (newspaper)	406.421.9891	Scobey	11/24/2008	Mr Bowler called to discuss the desire for the KXL project to go through Daniels County. He also believes the Chamber of Commerce would like to hear about the project. Told him that S/R spoke with Commissioner Tande. His questions included: Why are there two options in play? Will there be Town Hall meetings? Were the alternative routes evaluated based on location of the Williston Basin? Does the KXL pipeline connect to another pipeline? Does it go under the Missouri River? Does it go through BIA? or the Wildlife Refuge? How soon will a decision be made on the route? Is it possible to call the paper with a final decision?	Complete	Jeff Rauh
11/25/2008	Ernie Wood	landowner	private	Glasgow	11/26/2008	Called and spoke with Ernie's wife, Peggy Hoffman-Wood. They wanted to know if TC was still looking at options to route the project. They thought that Route B might cross their ranch. Their property is near Porcupine Creek in Valley County. They are open to the project and would like to have the project cross their land if we needed to route in that vicinity. Her contact info was passed along to the land team for future reference and reroutes. She also asked general questions regarding TC compensation for R/W easements and the project schedule. She was told that there will be a public comment period for the route by DEQ and DOS with public meetings she can attend if she wishes.	Complete	Mary Andersen
12/8/2008	Pat Eggebrecht	McCone Co Commissioner	406.485.3500	Circle	12/8/2008	Pat called to find out if the route shown during the open houses was still the preferred route. He was told yes. Pat also indicated that he owned a business in Wolf Point and was a member of the Wolf Point Economic Development Committee. He expressed that he had been informed by members of the Ft. Peck Tribe that there were secret negotiations going on between TC and the Ft. Peck tribe to have the route changed to go through the reservation. He asked if this was true. (not sure if there was a follow up call on that). Pat expressed that he very much approves of the relations efforts and the relationship they have with Mary in keeping commissioners informed and that the county commissioner of McCone Co would walk over broken glass to have the route remain the preferred route.	Complete	Bud Andersen

Initial contact date	Name of contact	Affiliation	Phone number	City	Date of contact	Comments	Status	KXL contact person
12/8/2008	Michelle Link	Sioux City Journal	712.293.4227	Sioux City	12/8/2008	Michelle had received the posting of the alternative routes in the Billings Gazette and had interpreted the routes as being three different projects. It was explained to her that the routes were alternatives and were part of a St of MT DEQ requirement. She mentioned the Hyperion Refinery and asked if one of the routes would be close to that proposed facility in SD. She was informed that this would be the Keystone project and not KXL. She was provided Jeff's phone number for info on Keystone.	Complete	Bud Andersen
12/9/2008	Libby Knotts	USFS	701.842.2393	ND	12/10/2008	Libby was contacted. She was out of the office and left a voice message on more than one occasion but was never reached.		Bud Andersen
12/17/2008	Tom Wilson	landowner		Camp Crook, SD		Called to express support for existing preferred route.	Complete	Bud Andersen
12/22/2008	Tom Wilson	landowner	private	Camp Crook, SD		Called to express support for existing preferred route.	Complete	Bud Andersen
						Linda called with questions regarding eminent domain and what counties the project crossed. When she was contacted it was discovered that she had been passed a message by Tom Ring, DEQ, to assist with a Jessie Peltier of the Turtle Mountain Chippewa Tribe. He is contacting us with respect to the alternative routes and his belief that they would cross tribal lands. This was subsequently referred onto Sylvie Bedard. Sylvie sent an email to Mr. Peltier with a detailed map of the proposed route so he could determine if in fact it did cross lands he thought. She has not received a response back as yet. TC Tribal Liasion, Bob Hopkins, will be following up with him by phone by the end of January and will possibly visit Turtle Mtn in mid-February.	Complete d initial contact	
1/9/2009	Linda Palagi	State of MT Dept of Commerce, Energy Specialist	406.841.2033	Helena	1/7/2009			
1/29/2009	Jim Ferch	landowner	private	Circle	1/29/2009	Jim called to give his support to the project. He stated that he is for all of the energy projects in E. Montana and opposes the Northern Plains Resource Council because they want to stop the energy projects across the board. He wants to see the project come through McCone County.	Complete	Mary Andersen

**TransCanada – Keystone XL Phase II Pipeline
Contact Summary Form****Communication Location** Fort Collins, Colorado**Date/Time of Contact** 1/27/09 4:20 p.m.**Keystone XL Team
Member(s)** Chris Dunne**Contact Information:**

Name	Piney Helmuth
Title	Prairie County Clerk & Recorder
Organization	Prairie County Clerk & Recorder
Address	
County	Prairie
Phone	406-635-5575
Email address	clerkrecorder@prairie.mt.gov

Contact Information:**Type of Contact (phone, in-person, etc.):** Phone**Issue:** Impact of the KXL Pipeline Project on proposed residential development in Prairie
County MT.**Description:**

I spoke with Piney Helmuth about the contradictory information we received from Ann Marie Davis and Bill Leach in November regarding proposed developments in the KXL Pipeline Project area. She was familiar with the project and stated that they had no information of current or future development in the project area.

Follow-up Required / Requested

Attachment F

Date	Contact	Job Title	County	Address	Phone	Summary of Discussion
Circular MFSA 2 Section 3.7 (16) (f)						
6/2/2008	Elaine Raper	BLM	State of Montana	111 Garryowen Rd, Miles City, MT, 59301	406.233.2800	Meeting: Discussion with BLM regarding the Lewis and Clark Trail as a Special Resource Management Area. Discussion regarding the assessment of increased hunting and fishing pressures as a result of the KXL Pipeline Project. The construction of the pipeline, itself, would not affect current hunting and fishing status, however, access roads on private lands that allowed hunting would increase hunting/fishing pressures in that area. If access roads were created, and allowed new access to rivers, fishing pressure would then increase as well.
12/11/2008	Kent Undlin	BLM	State of Montana	111 Garryowen Rd, Miles City, MT, 59301	406.233.2845	
Circular MFSA 2 Section 3.7 (11)						
6/2/2008	Elaine Raper	BLM	State of Montana	111 Garryowen Rd, Miles City, MT, 59301	406.233.2800	Meeting: Discussion with BLM clarified that much of the area around the Missouri River is in VRM (Visual Resource Management) Class 2 areas, which will require additional visual impact mitigation and stipulations. Meeting: Met with Dena to obtain VRM inventory & classification info for MCFO area. Dena gave me a GIS map of VRM classes. All state highway corridors (& some lesser roads) are VRM Class III. • There is a Class II area ~18 mi. NW of Circle, but DL was uncertain of the rationale behind it. Dena provided a copy of the current BLM Standard Environmental Colors Chart (CC-001: June 2008).
9/22/2008	Dena Lang	BLM - Miles City	State of Montana	111 Garryowen Rd, Miles City, MT, 59301	406.233.2828	

Attachment F Additional Contacts – January 2009

Date	Contact	Job Title	County	Address	Phone	Summary of Discussion
Circular MFSA 2 Section 3.7(16)(f)						
1/27/09	Jon Collins	BLM – Glasgow	State of Montana	5 Lasar Drive Glasgow, MT 59230	406-228-3769	Discussion regarding construction across Bitter Creek WSA
Circular MFSA 2 Section 3.7 (9) (3)						
1/29/09, 1/30/09	Jon Collins	BLM – Malta	State of Montana	Montana	406-228-3769	Notes the VRM inventory files were lost or misplaced
1/29/09, 2/2/09	Dena Lang	BLM – Miles City	State of Montana	111 Garryowen Road Miles City, MT 59301	406-233-2828	Back-up for VRM classifications is not available; only overlays
Circular MFSA Section 3.7(12)(f)						
1/30/09	John Little	Region 7 Parks Manager	State of Montana	Miles City	406-234-0900	Information of recreational uses
2/3/09	MFWP, BLM	Managers, specialists, and biologists	State of Montana	N/A	Multiple	Survey protocols, survey requirements, best management practices
1/28/09, 2/12/09, 2/4/09	Woody Baxter	Regional Parks Manager	State of Montana	Glasgow, MT	406-228-3700	Information on recreational uses
Circular MFSA Sections 3.4(7) and 3.7(2)						
11/24/08	J. Perry Wolfe	Chamber of Commerce and Ag.	Chamber of Commerce and Ag.	N/A	406-487-2061	Supports routing through Phillips County
11/24/08	Burley Bowler	Leader	Daniels County	N/A	406-421-9891	Clarification on Project
11/25/08	Ernie Wood	Landowner	State of Montana	N/A	Private	Routing options and NEPA process
12/8/08	Pat Eggelbrecht	Commissioner	McCone County	N/A	406-485-3500	Supports routing through McCone County
12/8/08	Michelle Link	N/A	Sioux City Journal	N/A	712-293-4227	Clarification on Project

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12/9/08	Libby Knotts	USFS	State of Montana	N/A	701-842-2393	Contacted
12/17/08, 12/22/08	Tom Wilson	Landowner	N/A	N/A	Private	Supports preferred route (Route B)
1/9/09	Linda Palagi	State of Montana Dept. of Commerce	N/A	N/A	406-841-2033	Clarifications
1/27/09	Piney Helmuth	Prairie County Clerk & Records	Prairie	N/A	406-635-5515	No current or future developments are recorded in the Project area.
1/29/09	Jim Ferch	Landowner	N/A	N/A	Private	Supports the Project